

CITY OF EASTPOINTE

DOWNTOWN DEVELOPMENT AUTHORITY BYLAWS

ARTICLE I - Name

This organization shall be known as the City of Eastpointe Downtown Development Authority (DDA).

ARTICLE II - Objectives and Purpose

The objectives of the DDA are outlined in the City of Eastpointe Code of Ordinances, Article III – Downtown Development Authority, Sections 14-42 to 14-53, and the Recodified Tax Increment Financing Act, Act 57 of Public Act 2018 of the State of Michigan, effective January 1, 2019, which repealed Act 197 of Public Act 1975. The purpose of the DDA, as a tax increment finance authority, is to correct and prevent deterioration in residential, commercial and industrial and certain other areas; to authorize the acquisition and disposal of interests in real and personal property, to authorize creation and implementation of development plans and development areas; to promote residential and economic growth; to create certain boards; to prescribe the powers and duties of certain boards; to authorize the issuance of bonds and other evidences of indebtedness; to levy certain taxes; and to authorize the use of tax increment financing.

ARTICLE III - Membership

The Authority shall be under the supervision and control of a Board consisting of the City Manager and eight (8) members appointed by the City Manager, subject to the approval of the City Council. Membership shall further be governed by the provisions of City Ordinance Chapter 2 – Administration, Article V – Boards and Commissions, as well as Section 204, Act 57 of Public Act 2018.

ARTICLE IV - Absence from Meetings

A member shall notify the Chair or Director in advance if they will be absent for a meeting. Three (3) consecutive unexcused absences from a regular Board Meeting shall be considered good cause for possible removal of a Board Member upon a motion duly made by any member recommending said removal to the appointing authority. Notice shall be given and an opportunity to be heard to any such person who is being considered for removal.

ARTICLE V - Chairperson, Officers and Director

- A. **Chairperson** - This organization shall elect Chairperson, and shall include a Treasurer and a Secretary, as defined in Section D.
- B. **Method of Selection of Chairperson and Term** - The members of the Board shall, by motion, elect a Chairperson at the first meeting of the year. The Chairperson shall serve in such office

for a period of one (1) year and until the successor is chosen. The Chairperson may be reelected as Chairperson by motion of the members of the Board.

C. Duties of the Chairperson, Treasurer and Secretary -

Chairperson: The duties and responsibilities of the Chairperson of the Downtown Development Authority shall include, but not be limited to, the following:

1. Preside at meeting of the DDA.
2. Exercise supervision over the DDA and all of its activities.
3. Represent and speak for the DDA to other organizations and the public.
4. Sign letters or documents necessary to carry out the activities of the DDA.
5. Appoint sub-committees, if required.
6. Perform other duties as determined by the DDA Board Members.

Treasurer: The duties and responsibilities of the Treasurer of the Downtown Development Authority shall be conducted by the Treasurer for the City of Eastpointe and include, but are not limited to, the following:

1. Ensure the proper collection, safekeeping and expenditure of all funds of the DDA, and that accurate financial records are maintained.
2. Provide financial reports at DDA Board meetings and answer questions related to financial matters.
3. Ensure that a full financial report is submitted annually.
4. Assist in budget preparation, as required.
5. Approve all expenditure authorizations pursuant to the provisions of Article VI.
6. Perform other duties as determined by the DDA Board Members.

Secretary: The duties and responsibilities of the Secretary of the Downtown Development Authority shall be conducted by a member of the Office of the City Manager and include, but are not limited to, the following:

1. Ensure that careful and authentic notes of the meetings are taken and used as a basis for preparing minutes.
2. Certify the correctness of the minutes and ensure that they are entered in the official minute book.

3. Ensure that minutes are presented to the DDA for correction and approval.
4. Ensure that any corrections are entered into the minute book.
5. Record and attest, by his/her signature, the approved minutes as the official minutes of the DDA, with the date of approval.
6. Call the roll when directed by the presiding officer.
7. Read all papers, documents, or communications as directed by the presiding officer.
8. Ensure that all records, reports and official documents of the DDA are preserved, except those specifically assigned to the custody of others.
9. Authenticate official documents by his/her signature.
10. Carry on the official correspondence of the DDA as directed, except correspondence assigned to other officers.
11. Perform other duties as determined by the DDA Board Members.

D. Director - the Board may employ and fix compensation of a Director subject to the approval of the City of Eastpointe governing body. Alternatively, a member of the Office of the City Manager shall serve as Director without compensation. The Director shall serve at the pleasure of the Board. A member of the Board is not eligible to hold the position of Director. The Director shall further comply with the requirements of Section 205 of Act 57 of Public Act 2018.

Duties: The duties and responsibilities of the Downtown Development Authority Director shall include, but not be limited to, the following:

1. Supervise and be responsible for, the preparation of plans and the performance of the functions of the DDA in the manner authorized by the Recodified Tax Increment Financing Act, Act 57 of Public Act 2018 and Code of Ordinances, Article III – Downtown Development Authority, Sections 14-42 to 14-53
2. Provide reports covering the activities and financial condition of the DDA.
3. Assist the presiding officer before meetings in preparing a detailed Agenda.
4. Preside at DDA meetings in the absence of the Chairperson.
5. Approve all expenditure authorizations for processing by the City Treasurer pursuant to the provisions of Article VI.

6. Perform other duties as determined by the DDA Board Members.
7. Such other duties as are prescribed by Act 57 of Public Act 2018.

ARTICLE VI - Payment of Bills

Expenditures of the DDA shall be verified and approved in writing by the Director for processing and payment by the Treasurer in accordance with the budget approved by the Board. Invoices for services, materials and/or workmanship identified as unacceptable by Board members, DDA business owners or city staff shall not be processed without approval by motion by a majority of the Board.

ARTICLE VII - Quorum

A quorum shall consist of a majority of all the members appointed to the Board including the Chairperson, but a less number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as may be allowed by the law. For purposes of a quorum, a majority shall be defined as more than one-half ($\frac{1}{2}$) of the Board members including the Chairperson.

ARTICLE VIII - Order of Business

The order of business of all regular meetings shall be as follows:

- a. Roll Call
- b. Hearing of the Public
- c. Approval of the Minutes
- d. Scheduled Hearings on all matters required by law or deemed necessary by the Board.
- e. Unfinished Business
- f. Reports and/or Communications from Administrative Officials, consultants or others as deemed necessary by the Board
- g. New Business
- h. Approval of Bills
- i. Reports and Communications from Board Members
- j. Adjournment

ARTICLE IX - Meetings to be Open to the Public

All citizens shall have a reasonable opportunity to be heard at any Downtown Development Authority meeting on matters within its jurisdiction. The Board shall have authority to set reasonable time limits, as may be agreed upon by the members, for members of the public to address the Board.

ARTICLE X - Regular Meetings

Regular meetings of the Board shall be held publicly the second Tuesday of the month in January, March, May, July, September and November in the City of Eastpointe Municipal Building. The Board shall also have authority to call special meetings upon request of the Chairperson or any two (2) members of the Board on at least twenty-four (24) hours written notice to each member of the Board designating the time and purpose of such special meeting. The Board shall further have the power to adjourn any regular or special meeting to a day and time certain, which adjournment shall not be beyond the time of the next regular meeting and the adjourned meeting shall be considered as a continuation of the same regular or special meeting.

In the event that a quorum of the members of the Board so decide, the regularly established meeting location, time and place may be changed and the Director shall provide notice to all Board members of the change. If necessary, because of time constraints, the Board may be polled by phone to obtain the needed quorum.

ARTICLE XI - Voting Majority

All issues brought before the Board shall require only a simple majority vote unless otherwise specified by the City Ordinances, Rules of Procedure herein adopted, or other parliamentary authority, namely; Sturgis Standard Code of Parliamentary Procedure. A simple voting majority shall be defined as more than one-half (½) of the Board Members present and voting on any given issue.

ARTICLE XII - Amendment or Suspension of Rules

These rules may be amended or temporarily suspended for a specific purpose by majority vote.

ARTICLE XIII - Adoption

These Bylaws were adopted on March 8, 2022, and will take immediate effect and supercede all previous Bylaws.



William Transit
Downtown Development Authority Chair



Michael McLoyd
Downtown Development Authority Secretary

Adopted: September 22, 1988
Revised: August 16, 1988
Revised: December 6, 1988
Revised: January 3, 1989
Revised: July 12, 2016
Revised: March 8, 2022